Remarks/Arguments

I. Status of the Claims:

Claims 27, 36, 92-95, 103, 110, 111, 122, 123-124, 126-137 are currently pending and under examination in this application. Claims 27, 36, 92-95, 103, 110, 111, 122 have been withdrawn from consideration.

II. Rejections/Arguments

35 U.S.C. §103(a)- Obviousness

1. Claims 123, 124, 134 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe (EP 0283942 - Wolfe) in view of Fassolitis *et al.* (1981 - Fassolitis), Peebles (USPN 2,835,586 - Peebles), Prestrelski (USPN 5,580,856 - Prestrelski) and Franklin (USPN 5,869,321 - Franklin).

Wolfe teaches a dry powder basal nutrient medium for culturing cells, but this medium is not prepared by agglomeration with a solvent. Hence it does not have the properties recited in Claim 123 that "the agglomerated mammalian medium powder exhibits reduced dusting and a larger particle size than does the non-agglomerated, dry mammalian medium powder".

Similarly, Fassolitis does not teach or disclose an agglomerated dry cell culture medium. The Examiner cites Fassolitis as a reference to demonstrate the capability of a milk-containing culture medium to grow and culture an animal cell. Fassolitis is directed to the use of a serum substitute in the preparation of a liquid cell culture medium for epithelial cell growth. That is, Fassolitis teaches the use of a non-fat dry milk filtrate (NDMF), instead of raw skim milk, for the preparation of a liquid epithelial cell culture medium. However, in Fassolitis, the final medium is **not dry**, but is a liquid (see Fassolitis, column 1, Materials and Methods).

Peebles teaches spray dried milk-powder, not agglomerated medium. Peebles teaches that the composition comprise fines (smaller particle size powders) which are not present in the medium in the instant claims due to the agglomeration process. Accordingly, Peebles' compositions differ markedly from those claimed in this invention.

Prestrelski does not teach agglomerated media. It teaches a spray-dried protein formulation and teaches the increase in recovery of soluble protein upon reconstitution. Prestrelski teaches the prevention or reduction of protein aggregates by admixing an effective amount of reconstitution stabilizer in its compositions.

Franklin does not teach the agglomerated mammalian cell culture medium powders of the invention. Franklin teaches a mixture for growing microbes comprising microbial nutrients (15-25% wt)

combined with gelling agents (75-85% wt) and the resulting medium particles have a moisture content of less than about 5 wt% (see Franklin, Summary of the Invention). Therefore Franklin's compositions are markedly different from those instantly claimed, especially since it is mammalian media powder and it is dry (no gelling agent).

Therefore, the teachings of Wolfe, Fassolitis, Peebles, Prestrelski, and Franklin alone or in combination do not render obvious applicants' inventive agglomerated dry, mammalian cell culture medium powder as presently claimed in the amended claim set. Accordingly, applicants respectfully request that the Examiner reconsider and withdraw the outstanding rejection under 35 U.S.C. §103(a).

3. Claims 135- 137 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe (EP 0283942- Wolfe) in view of Fassolitis *et al.* (1981- Fassolitis), Peebles (USPN 2,835,586- Peebles), Prestrelski (USPN 5,580,856- Prestrelski) and Franklin (USPN 5,869,321- Franklin) as applied to claims 123, 124, 126-134 above, and further in view of Wyatt *et al.* (WO 94/28944 - Wyatt).

As discussed above, the teachings of Wolfe, Fassolitis, Peebles, Prestrelski, and Franklin do not teach an agglomerated dry, mammalian cell culture medium powder. Wyatt teaches gamma irradiation for sterilization, but does not remedy the lack of teachings of the above referenced art; that is, it does not teach an agglomerated dry, mammalian cell culture medium powder. Accordingly, the teachings of Wolfe, Fassolitis, Peebles, Prestrelski, and Franklin, further in view of Wyatt, alone or in combination do not render obvious applicants' inventive agglomerated mammalian cell culture medium powder as presently claimed in the amended claim set. Accordingly, applicants respectfully request that the Examiner reconsider and withdraw the outstanding rejection under 35 U.S.C. §103(a).

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Conclusion

The extendable due date for response to the instant Office Action, under a 3-month shortened statutory period, is **July 07, 2011**. Applicant hereby petitions for a **one-month extension** of time under 37 C.F.R. § 1.136(a), thereby extending the due date for response to **August 07, 2011 (Sunday)**. In association therewith, Applicant hereby authorizes the Commissioner to charge Deposit Account No. 50-3994 the fee set forth under 37 C.F.R. § 1.17. Applicant does not believe that any additional fees are due in connection with this Response. However, in the unlikely event that any such fees are due, the

Commissioner is hereby authorized to charge the same to Deposit Account No. 50-3994, with reference to our matter IVGN 174.1 DIV.

Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for immediate allowance. If the Examiner believes for any reason that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,

/Daphne Reddy/
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